

Utility Events

1:06-cv-00646-*** Cardone v. Carroll et al
CASREF, PaperDocuments

Catalog
Pg 1 of 8

* *File*

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06-646 (GMS)

U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 6/15/2007 at 12:49 PM EDT and filed on 6/15/2007

Case Name: Cardone v. Carroll et al

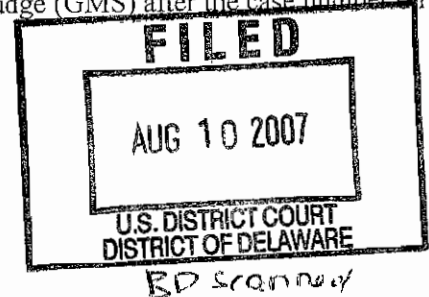
Case Number: 1:06-cv-646 - GMS

Filer:

Document Number: No document attached

Docket Text:

Case reassigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb)



1:06-cv-646 Notice has been electronically mailed to:

1:06-cv-646 Notice has been delivered by other means to:

Charles F. Cardone

SBI #098159

Delaware Correctional Center

1182 Paddock Road

Smyrna, DE 19977

Unit 18-B-L-12

— To: Brian Englem, SHU Law Library — July 26, 2007

Please provide me with five (5) copies of the enclosed
** MEMORANDUM of "Richard Kearney, Bureau Chief of Prisons"*
dated July 12, 2007, to me in support of my above
1:06-cv-646-GMS. Thank you, Charles F. Cardone

SBI #098159

** Memo w/ accompanying documents/ letters...*

TO: Commissioner Danberg, DOC-DE

July 23, 2007

RE: Richard A. Kearney
Bureau Chief of Prisons

Cat
Pg 2 of 8

Dear Mr. Danberg,

For your consideration I am enclosing Chief Kearney's July 12, 2007 Memo to me, and, I am also enclosing for your consideration my (a copy) June 6, 07, letter to Mr. Kearney. Mr. Kearney's July 12, 2007 memo to me is his response to my June 6, 07, request to him.

I wish to appeal his response. I am advising you that as of August 11, 2005, I have been wrongfully squirreled away in SHU/MHU for a "staff assault" that never took place and I have not been ~~be~~ shown any of my stated entitlements, as outlined in State of Delaware Bureau of Prisons Procedure Manual Procedure Number: 4.2, Related ACA Standards, Rules of Conduct in re the above "staff assault". At this time, via this letter, I am requesting your intervention, and correction, of Chief Kearney's uninformed and erroneous July 12, 2007 memo to me and / or at the very least, provide me with copies of any/all paperwork associated with the above "staff assault" ~~to~~ that has been used by your DOC to place me in the SHU until August/07.

thank you,
Charles F. Cardone
CRT # 098159



STATE OF DELAWARE
DEPARTMENT OF CORRECTION
BUREAU OF PRISONS
245 MCKEE ROAD
DOVER, DELAWARE 19904
Telephone: (302) 739-5601
Fax: (302) 739-8221

X Cat- 1
~~Page 2 of 5~~
Pg 3 of 8

MEMORANDUM

TO: Inmate Charles Cardone
DCC, SBI #098159

FROM: Richard A. Kearney *R.K.*
Bureau Chief of Prisons

DATE: July 12, 2007

RE: **Correspondence of June 24, 2007**

In response to your letter dated June 24, 2007, you have received due process in both disciplinary and classification proceedings. You appear to be appropriately housed.

RAK/csd
Cc: Warden Tom Carroll, DCC
File

Charles F. Cardone
July 23, 2007
Received

TO: Rick Kearney, BOP

June 24, 2007

Dear Mr. Kearney:

Various agents of Delaware Department of Corrections, at Delaware Correctional Center, where I have been housed since May 23, 2005, have notified me that their reason for classifying me to my present Maximum Security Status is for a "staff assault" which allegedly occurred in May of 2005, and I am to remain at this status until August of 2007.

Therefore, I am requesting you to administratively review my classification and I am notifying you of my attempts to prevail on three claims which are highly significant: 1. Society expects me to be treated humanely and 2. I am to be provided with a fair disciplinary process when charges are brought against me arising out of alleged misconduct while incarcerated, and 3. to be free from false accusations by prison staff.

Expectantly, Commissioner Danberg has forwarded my request to him, to you, pursuant to his June 19, 2007, letter to me.

BUREAU OF PRISONS

Sincerely,

JUL 12 2007

Charles F. Cardone - SBT # 098159

RECEIVED

Commissioner Danberg, DE District Ct.
Tom Carroll, WardenCharles F. Cardone
July 23, 2007
Received

* I have enclosed a memo from Counselor AIELLO and my response to that memo for your consideration... cfc

4. Capile
cfc
6-24-07

7-1-07

6/22/2007

To: Cardone, Charles **18BL12**

SBI# 098159

From: Counselor Aiello

* Cat- 3
~~Page 4 of 5~~
Pg 5 of 8

As of now you are clear of the staff assault as of 5/31/07. I have spoken with my supervisor and she said to put you in for the Greentree program at SCI which is a 6 month program rather than an 18 month program. You will have to sign off protective custody in order to take part in the program. If you are willing to sign off PC I will classify you next month to the program.

CC Rick Kearney, BOP
Commissioner Danberg
DE District At.

Charles F. Cardone
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To: Counselor Aiello

Cat
Pg 6 of 8

* Cat # 456
Page # 5

I wasn't made with a finger ... my father used the real thing - You classify me to the SCT Greentree program your supervisor told you to put me in, bring me the classification papers* to sign, give me a copy and then I will sign off PC.

* Form # 456

Charles F. Cardone

SBI # 098159

18 BL12 - DCC prison

July 23, 2007
Received

CC Rick Kearney, BOP
Commissioner Danberg
U.S., DE District Ct.

FORM #584

GRIEVANCE FORM

FACILITY: DCCDATE: AUG. 26-05GRIEVANT'S NAME: Charles CardoneSBI#: 098159CASE#: 21813TIME OF INCIDENT: On GoingHOUSING UNIT: Bldg. (19) BBL

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

I am court ordered to 14 years Level 5 suspended upon completion of Greentree to be followed by various Accountability Levels — LT Porter notified me in person that I would be in my present status (SHU) for 1 year.... I have been given write-ups that I have told LT. Williams LT Savage, and LT Porter that I want to appeal these write ups.... I still am waiting for forms to appeal the Discipline Action and the Classification Action....

ACTION REQUESTED BY GRIEVANT: Supply me with copies of my write ups and appeal forms — place me in a less restrictive classification until my appeals have been resolved so I, and DOC, may comply with Judge T. Henley Graves sentencing orders.

GRIEVANT'S SIGNATURE: Charles F. Cardone DATE: AUG. 26-05

WAS AN INFORMAL RESOLUTION ACCEPTED? _____ (YES) _____ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: _____ DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE
GRIEVANT

RECEIVED

AUG 30 2005

April '97 REV

Inmate Grievance Office

To: Counselor Huello

From: Cardone, Charles 18BL12

at Cat
Pg 8 of 8
B. Hopier

Rick Kearney
Paul W Howard, Chief, Bureau of Prisons, Delaware:

The following is my "in house" note to the above coun-
dor: Your statement "your classification will remain
of security because of a staff assault on 5/31/05. there is
2 year mandatory map placement which means it will come
off in May of 2007," in your 12/21/06 note to me... has
my map placement come off, as you state? To attend my court-
ordered Greentree Program, I must sign off Protective Custody
status, is that correct? At the date of this writing, I am inform-
ing you and Paul Howard, Chief, Bureau of Prisons, Delaware, I am
seeking administrative review of DOC's staff assault charge which, as
you state above is subjecting me to "a 2 year mandatory map placement."
Pursuant to: State of Delaware Bureau of Prisons Procedure Manual
Chapter 4 DOC Policy 4.2, V. Procedure... I am requesting an administrative
review because I have not been given (shown) any entitlements as out-
lined in V. Procedure. Lastly, notify me of my date of eligibility
to attend Greentree Program.

Charles F. Cardone
SBI # 098159

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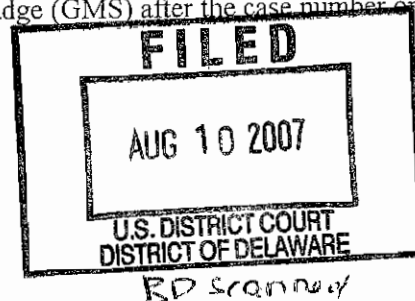
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